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To: Examiner Nicholas D. Lucchesi From: Jasvantrai C. Shah
Fax: (703) 872-9306 Date: September 29, 2004
Phone: (703) 308-2698 Pages: (13) Including cover sheet
Re: 09/254,078 CC:

Urgent For Review Please Comment Please Reply Please Recycle

Comments:

Serial No. 09/254,078 Agent JCS

Re: Applicant – Rudger Rubbert

Case No. 59-99 (00-1030)

Filed: 05/03/1999

"METHOD AND DEVICE FOR CARRYING OUT OPTICAL PICKUP"

Dear Supervisory Examiner Lucchesi:

We are transmitting herewith:

- x Transmittal letter
x Response to Notice of Non-Compliant Amendment (37 CFR 1.121)

Respectfully,
Jasvantrai C. Shah
Agent for Applicant

UNITED STATES PATENT AND TRADEMARK OFFICE

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SEP 29 2004

Appl. No.	:	09/254,078	Confirmation No. 6452
Applicant	:	Rudger Rubbert	
Filed	:	05/03/1999	
TC/A.U.	:	3764	
Examiner	:	Nicholas D. Lucchesi	
Docket No.	:	59-99 (00-1030)	
Customer No.	:	000038600	

Title : METHOD AND DEVICE FOR CARRYING OUT OPTICAL
PICKUP

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

TRANSMITTAL LETTER

Sir:

1. We are transmitting herewith the attached:
 1. Response to Notice of Non-Compliant Amendment (37 CFR 1.121)
2. With respect to additional fees:
 - A. No additional fee is required.
 - B. Attached is a check in the amount of \$ ____.
 - C. Charge the total additional fee to our Deposit Account No. 50-2844.
3. Please charge any additional fees or credit overpayment to Deposit Account No. 50-2844.
4. CERTIFICATE OF TRANSMISSION UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being transmitted by facsimile to number (703) 872-9306 addressed to: Commissioner for Patents, Attn. Supervisory Patent Examiner Nicholas D. Lucchesi, on this 29th day of September, 2004.

By Jasvantrai C. Shah

Jasvantrai C. Shah
Reg. No. 39,444

OraMetrix, Inc.
2350 Campbell Creek Blvd., Suite 400
Richardson, Texas 75082

UNITED STATES PATENT AND TRADEMARK OFFICE

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P.O. Box 1450
Alexandria VA 22313-1450

Response to Notice of Non-Compliant Amendment (37 CFR 1.121)

Sir:

In response to **Notice of Non-Compliant Amendment (37 CFR 1.121)** dated 09/23/2004, the applicants respectfully re-submit the "Amendments to the Claims" section which has been corrected to bring the previously submitted non-compliant amendment filed on 08/06/04 in compliance with 37 CFR 1.121. Corrected **Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

Please charge any required fees to deposit account no. 50-2844.